June 5, 2012

The Administrator's Office has asked me to respond to your May 4, 2012 letter requesting that the Great Bay nutrient criteria and permit development be transferred to an independent panel of experts for review. Your letter also makes a number of very serious allegations against Region I, including that "regulatory violations, bias and scientific misconduct underlie the Region's actions." Because of the seriousness of these allegations, EPA's Office of Water has initiated a careful review of the issues raised in your letter.

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You further raise questions about peer review. In March 2010 the NH DES requested a peer review of the nutrient targets through EPA's Nutrient Scientific Technical Exchange Partnership and Support (N-STEPS) program. As you know, N-STEPS is administered through a contract funded by EPA. The reviewers selected by EPA's contractor were Dr. Robert Howarth from Cornell University and Dr. Walter Boynton from the University of Maryland. Both reviewers have national expertise in the field of marine eutrophication and had no involvement in the development of the NH DES criteria. Neither Region I nor the Office of Water had a role in selecting the reviewers. The reviewers had access to all comments provided to NH DES during the public comment period described above, including those of the affected municipalities.

OMB's "Final Information Quality Bulletin for Peer Review" (Dec 16, 2004) says,

> Peer review involves the review of a draft product for quality by specialists in the field who were not involved in producing the draft. The peer reviewer's report is an evaluation or critique that is used by the authors of the draft to improve the product. Peer review typically evaluates the clarity of hypotheses, the validity of the research design, the quality of data collection procedures, the robustness of the methods employed, the appropriateness of the methods for the hypotheses being tested, the extent to which the conclusions follow from the analysis, and the strengths and limitations of the overall product.

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